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8 **BEFORE THE HEARING EXAMINER FOR THE CITY OF RENTON**

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10 RE: Sartori Elementary School

11 Preliminary Planned Urban  
12 Development and Conditional Use

13 LUA16-000692, PPUD, CU-H

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) **FINDINGS OF FACT, CONCLUSIONS OF  
LAW AND FINAL DECISION**  
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15 **SUMMARY**

16 The applicant is requesting a Preliminary Planned Urban Development (“PUD”) and conditional use  
17 permit approval for the construction of a three story, 79,000 square foot elementary school at 315  
18 Garden Ave North. The applications are approved subject to conditions. The staff recommended  
19 conditions of approval have been revised to require City approval of the parking and queuing  
20 elements of the transportation management plan required by the applications mitigated determination  
of nonsignificance. The queuing and parking elements are required to include a one-year monitoring  
plan to ensure that the proposal doesn’t create any off-site queuing or parking outside of applicant  
owned/leased/shared parking facilities.

21 **TESTIMONY**

22 *[The following summary of testimony is provided solely for the convenience of the reader. Nothing in*  
23 *this summary should be construed as a finding of fact or conclusion of law. The summary does not*  
24 *signify what the examiner found to be important and no assurances are made as to accuracy. A*  
25 *recording of the hearing is available at City Hall for those wishing an accurate rendition of hearing*  
26 *testimony. The Findings of Fact of this decision commence at Page 5.]*

Matthew Herrera, City of Renton Senior Planner, summarized the staff report. Mr. Herrera requested

1 to amend staff recommended condition No. 2 to require compliance with a lot combination by  
2 issuance of certificate of occupancy instead of building permit approval. In response to examiner  
3 questions, Mr. Herrera clarified that the SEPA MDNS didn't require a revised queuing analysis, but  
4 staff would like to see some operational plan that identifies how the applicant will deal with queuing.  
5 The queuing plan was left open to the school district and is intended to be an open plan that is flexible  
6 enough to address changing circumstances. The SEPA MDNS includes a transportation management  
7 plan that addresses queuing. The City doesn't have any standards related to queuing. Ian Fitz-James,  
8 Renton Public Works, testified that the City doesn't have any queuing standards beyond meeting level  
9 of service standards. The traffic report concluded that it would meet level of service standards.  
Public works worked with the applicant to ensure there was enough stacking space on-site to  
minimize queuing overflow onto the adjoining road. Public Works sees no additional need for  
stacking space on-site. Trip generation impacts are determined by comparing traffic at affected  
intersections with and without the school in 2018. The operational plan required for queuing  
management is required in the school district's MDNS.

10 Matt Feldmeyer, Facilities Manager of Renton School District, testified that the Sartori School was  
11 first established in 1907 with modifications made through the 1950s. In the 1970s the school was  
12 changed from an elementary school to an adult education center. The school is currently in poor  
13 physical shape. The Renton School District eventually concluded that a new elementary school was  
14 necessary to serve its population and that the Sartori site was ideally suited to serve this function.  
15 The 2016 levy has funding for the school, which will serve up to 650 students kindergarten through  
16 5<sup>th</sup> grade. The new school will incorporate building elements from the existing school. The building  
17 is designed for 50-100 years of use. The building includes commons and gymnasium space for  
18 community events as well as a class room sized community room with a kitchen for community  
19 programs such as adult education. There will be a makers space for education and fabrication for  
students to use a variety of tools such as 3D printers for creative endeavors. The public plaza will  
provide meeting and display space as well as many other types of uses. There will be an accessible  
outdoor play space available for local community and recreational groups. Landscaping and design is  
geared towards creating compatibility with surrounding uses. The MDNS public comment and  
review process was recently completed and no additional comments were received beyond the  
comments identified by Mr. Herrera.

20 Rebecca Baibak, Integrus Architecture, addressed how the site plan has developed and how the  
21 building has developed through dialogue with the school district and the City. The architect has  
22 continued to develop the public plaza. Benches and green space are being integrated into the plaza.  
23 The plaza is being designed to be a flexible space that can be used for art events, markets, outdoor  
24 plays and the like. The gymnasium fronts the plaza so that large gymnasium gatherings have direct  
25 access through the plaza. The main entrance to the school building is off the plaza as well so that the  
26 plaza can serve as the heart of the city block. Moving east there are 23 parking stalls that are  
available with a pedestrian pathway that connects directly to the front door. Along Garden Avenue  
the curb line has been adjusted as requested by the City to accommodate the bus pull-out area. The  
covered play area has also been pulled further to the west to allow for trees on the east side of the  
covered play area. The covered area gives some weather protection to persons watching events on the

1 fields. Cars queuing off-site would be on 4<sup>th</sup> avenue adjacent to the school site. The on-site queuing  
2 area provides for maximum on-site stacking. The materials of the building have gone from an  
3 orangish to a mahogany red tone in response to feedback. The amount of glazing on park avenue has  
4 also been increased for the two-story library space. The two-story library and gymnasium space both  
5 have a lot of glazing. There is a covered walkway that extends to the parking area to the east. The  
6 applicant is looking at several ways to integrate art into the building design. There is a covered  
7 waiting area along the north side of the building for students waiting for their rides. The applicant is  
8 looking at ways to integrate building elements from the existing building into the plaza area.

9  
10 Tod McBryan, Heffron Transportation Inc., noted that a queuing analysis had been conducted and  
11 reviewed by the city. After city comments, the study was finalized. No reduction credits were taken  
12 for the trip generation analysis. There is more on the site than just the school that's being removed.  
13 There's a supermarket, a restaurant, and eleven residential units. The combination of all these uses  
14 creates more traffic than that anticipated for the proposed school. Elementary schools don't generate  
15 much traffic during the commuter peak hour. In response to examiner questions regarding Renton  
16 School District policies requiring students to be dropped off 15 minutes before school start and how  
17 that affects queuing, Mr. McBryan noted that the proposed school hasn't developed any policies yet.  
18 The queuing analysis in the traffic report was based upon observations of other schools, such as a  
19 school in the Bellevue School District. Those observations were used to estimate ques for the project  
20 site. The morning drop-off doesn't create long ques because parents leave the area right after  
21 dropping off their children. The queuing is longer in the afternoon when parents show up early and  
22 then wait to pick up their children. The applicant has worked with the City to maximize the on-site  
23 que line while also meeting requirements for open space and parking. The transportation  
24 management plan recommended for the proposal works best once a principal has been selected for the  
25 school so that at that point policies can be adopted that further manage que lines.

26  
Diane Dobson, neighbor from the North Renton Neighborhood Association, testified that the  
Association is very excited about the proposed new school. Their biggest challenge and concern is  
the traffic impact on the neighborhood. She noted that the proposed elementary school will generate  
significantly more traffic than the currently existing adult education facility. She noted that the draft  
traffic report didn't accurately identify the current use of the school property and she hasn't seen any  
revision to accurately reflects the limited use of the school property. She doesn't know how it's  
possible to conclude that the proposed school will generate less trips than the uses currently on the  
school property. The restaurant on-site is a walk-in burrito stand and the supermarket is a deli that is  
by no means a grocery store or supermarket. The barista stand has moved across the street and has  
baristas with minimal clothing that is not appropriately located next to an elementary school. The  
SEPA review hasn't adequately addressed traffic or pedestrian safety. There is also a concern with  
the bulk of the building being placed on Park Avenue. It is understood that this placement focuses  
the bulk of the building on the commercial as opposed to residential side of the building, but there are  
still residences located on the commercial side. It is hoped that there will be more emphasis placed  
on design and landscaping to provide for more compatibility. The policy requiring drop off less than  
15 minutes prior to school start time is a district-wide policy, not an individual school policy. The  
queuing comparisons should have been based on other Renton elementary schools as opposed to a

1 school in Bellevue. The Neighborhood Association is very concerned about the traffic impacts.

2 Nancy Monahan, neighbor, testified that as a resident of the North Renton neighborhood, her concern  
3 is traffic. There's a lot of traffic that comes from Boeing and Kenworth as well as traffic associated  
4 with the Landing. There's a lot of bus traffic as well because the buses don't want to have to use  
5 Factory Avenue to get back to the bus barn. She wanted to know if the City or applicant has checked  
6 whether the speed limits are being followed. She believes that the traffic going down the residential  
7 streets is going 30-40 mph. She wanted to know if there has been consideration on how the proposal  
8 will affect parking on surrounding streets when public events will be held at the school. She wanted  
9 to know if parking permits could be given to residents along Garden Avenue instead of two-hour  
10 parking. Some people along Garden don't have driveways so they need the street parking. It's also  
11 her understanding that further development will occur along Park Avenue and she wanted to know if  
12 the cumulative parking and traffic impacts of that additional development has been considered.

13 Matt Herrera, in rebuttal, noted that the draft traffic study was prepared pursuant to direction by City  
14 staff. Staff required the study to address the four abutting intersections. Once it was determined that  
15 there was no impact to the four abutting intersections found no reason to expand the study further  
16 outward. Trip estimates from current use were based upon the ITE trip generation manual. In regards  
17 to pedestrian safety, staff required the addition of school flashing signage, a 20-mph speed limit, radar  
18 detector signage, intersection bulb-outs that reduce intersection crossing distance and traffic calming  
19 measures to slow down traffic. With the bulk of the building along Park Avenue North, it is  
20 acknowledged that there are some residences in that area, but the area is zoned commercial arterial  
21 and neighborhood commercial as well so the building in that area is reflective of the zoning for that  
22 area. Off-site parking was looked at by staff, which is why staff encouraged parking beyond the  
23 minimum required by code. Parking will be available in the que line. There are also additional  
24 opportunities to park in the bus load/unload area as well as the school transportation center across the  
25 street. The city is looking forward to the applicant's transportation management plan to further  
26 address off-site parking. The plan will address special event parking and was required as an MDNS  
condition in response to concerns about special event parking during the SEPA review process. In  
response to examiner questions, the transportation management plan will evaluate how much parking  
will be needed for special events and how that demand can be met by on and off-site parking.  
Limited parking permits are available for residents along Garden Avenue.

In response to examiner questions, Mr. Fitz-James noted that the applicant took traffic counts to  
determine current trip generation of the project site and then applied a 2.5% compound yearly growth  
rate (based on WSDOT forecasts) to determine future traffic.

In rebuttal, the applicant testified that using the queuing zone, the bus zone and the 98 spaces at the  
transfer station directly north of the site, there is space for up to 226 vehicles, which is far more than  
what would be necessary for special events at the school. That amount of parking is far in excess of  
parking available for other schools with similar enrollment numbers and the parking in other schools  
has been sufficient to accommodate special events. Large events are usually scheduled two or three  
times per year.

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## EXHIBITS

Exhibits 1-27, identified at page 2 of the staff report, were admitted during the hearing. In addition, the following exhibits were admitted during the hearing:

28. Staff power point presentation.
29. City of Renton Maps on City of Renton website
30. Applicant power point.

## FINDINGS OF FACT

### Procedural:

1. Applicant. Renton School District.
2. Hearing. A hearing on the applications was held on November 8, 2016 in the City of Renton Council Chambers.

### Substantive:

3. Project Description. The applicant is requesting a Preliminary Planned Urban Development (“PUD”) and conditional use permit approval for the construction of a three story, 79,000 square foot elementary school at 315 Garden Ave North. The proposed school has capacity to serve 650 students. The subject property consists of 14 contiguous parcels (city block) that are bound by Park Ave N., Garden Ave N., N 4th St., and N 3rd St. The project site is currently occupied by a 39,284-square foot adult education facility, 11 residential units, an office and 7,100 square feet of commercial space. All existing structures are in the process of being removed. Vehicle access to the subject property is proposed on N. 3rd St. and N. 4th St. The proposal includes 83 parking stalls, 14 bus loading spaces, and 14 covered bicycle parking spaces.

The 5.28-acre subject property is an entire block located within the Residential-8 (R-8), R-10, Commercial Neighborhood (CN), and Commercial Arterial (CA) zoning designations. In order to develop across these multiple zoning districts, the Planned Urban Development application requests to comply with CA development and corresponding Urban Design Overlay ‘D’ standards for the entire property as an alternative to attempting to comply with the four underlying zones. Other modifications are requested as well. The modifications are specifically requested as follows:

RMC Code Citation	Required Standard	Requested Modification
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RMC 4-2-100 Zoning Standards Tables	There are four (4) separate tables dealing with the various land use categories and zones which contain the minimum and, in some cases, maximum requirements of the zone.	The application of a single zoning classification (CA) and corresponding Design District 'D' for the entire site for the purposes of review.
RMC 4-2-120A Development Standards for Commercial Zoning Designations	20-foot maximum side yard along a street setbacks	Exceed maximum side yard along N. 3 <sup>rd</sup> St. to provide a 72-foot setback and N. 4 <sup>th</sup> St. to provide a 135-foot setback. A 52-foot and 115-foot modification, respectively.
RMC 4-6-060F Street Standards	Residential Access Street Standards for Garden Ave N.	Relocation of curb-line westward, 10-foot sidewalks, and bulb-outs
RMC 4-3-100 Urban Design Standards	Plaza located at Park Ave N. and N. 4 <sup>th</sup> St.	Relocate plaza to front pf building at Park Ave N and N. 3 <sup>rd</sup> St.
RMC 4-3-100 Urban Design Standards	Any facade visible to the public shall be comprised of at least fifty percent (50%) transparent windows and/or doors for at least the portion of the ground floor facade that is between four feet (4') and eight feet (8') above ground (as measured on the true elevation).	Frosted glass in areas along the south facade
RMC 4-3-100 Urban Design Standards	Parking shall be located so that no surface parking is located between a building and the front property line; and/or a building and the side property line (when on a corner lot).	Eight parking spaces are proposed between the building and side property line along N. 3 <sup>rd</sup> St.
RMC 4-4-070 Landscaping	Ten-feet of on-site landscaping is required along all public street frontages, with the exception of areas for required walkways and driveways or those projects with reduced setbacks.	No street frontage landscaping in areas between the public plaza and street.
RMC 4-4-080F, Parking, Loading, and Driveway Regulations	Based on the proposed number of employees, a minimum and maximum of 60 parking spaces would be required/allowed in order to meet code.	The applicant proposed a total of 83 spaces within surface parking areas. The proposal exceeds the maximum parking stall requirements by 23 spaces.
RMC 4-4-080F, Parking, Loading, and Driveway Regulations	1 off-street parking space for each bus of a size sufficient to park each bus	Bus Parking is proposed on Garden Ave N.

RMC 4-4-080I, Parking, Loading, and Driveway Regulations	The width of any driveway shall not exceed thirty feet (30') exclusive of the radii of the returns or the taper section, the measurement being made parallel to the centerline of the street roadway.	Driveway width on N. 3 <sup>rd</sup> St. proposed at 52-feet. Driveway exceeds standards by 22-feet to accommodate delivery truck.
RMC 4-4-090, Refuse and Recyclables Standards	The gate opening for any separate building or other roofed structure used primarily as a refuse or recyclables deposit area/collection point shall have a vertical clearance of at least fifteen feet (15').	Proposed enclosure that provides a vertical clearance of 9.5-feet.

4. Neighborhood Characteristics. A mix of residential, commercial, and public uses surround the project site. Across North 4<sup>th</sup> Street to the north is the Renton School District Transportation Facility (bus barn). To the east is single-family development zoned R-8. To the south is single-family and multi-family development. To the west is commercial and single-family and multi-family residential development zoned CA and CN.

5. Adverse Impacts. There are no significant adverse impacts associated with the proposal. Pertinent impacts are more specifically addressed as follows:

A. Trip Generation. One of the issues that drew the greatest neighborhood concern was traffic. Neighbors were skeptical of the applicant's traffic study, which concluded that the proposed facility would not lower level of service standards for affected intersections and would generate less traffic than the current uses on the property. The findings of the applicant's traffic engineer are found sufficiently compelling as they are based upon the work of a traffic engineer that was reviewed and found acceptably by the City's public works department. There was no expert testimony or similarly detailed traffic analysis that reasonably undermined the credibility of the applicant's traffic analysis. Table 6 of the applicant's traffic study does come to the debatable conclusion that the proposal will result in a reduction in trip generation based upon Institute of Traffic Engineer trip generation estimates. However, even using current traffic counts with some of the project site buildings already vacant (Table 2), the 2018 traffic estimates still show no significant increase in traffic generated by the proposal. Level of service for the proposal with or without the project, based on either current traffic counts or ITE trip generation estimates, shows no lowering of level of service. All affected intersections will continue to operate at level of service C or better. The City's adopted level of service is D. The City's level of service, as adopted in its comprehensive plan, sets the standard for acceptable traffic congestion in the City of Renton. Since the project is consistent with the adopted level of service and the analysis supporting that conclusion is based upon expert traffic analysis found acceptable to the City's traffic

1 engineers and there is no credible expert traffic analysis to the contrary, it is determined that  
2 the proposal will not create significant adverse traffic impacts.

- 3 B. Queuing. Neighbors were also concerned about queuing during student drop-off and pick up.  
4 Queuing during morning student drop off is very likely not a problem. The applicant's traffic  
5 engineer prepared a queuing analysis, Ex. 11, p. 22-23, that showed that the project site has  
6 ample space to accommodate any queuing generated by morning drop-off. The morning  
7 queuing analysis was based upon a morning drop-off period of 20 minutes prior to school  
8 opening and neighbors pointed out that the school district may have a policy that compresses  
the drop-off period to 15 minutes. However, even if such a policy does limit drop-off to 15  
minutes, it is unlikely this will result in any off-site ques. As shown in the analysis, in a 20-  
minute drop-off period a 95<sup>th</sup> percentile queue would be composed of four vehicles and the  
on-site load/unload loop has capacity for up to 30 vehicles.

9 As acknowledged in the report, however, there may not be sufficient capacity to accommodate  
10 afternoon queuing, since many parents will be arriving early and then waiting to pick up their  
11 children. The traffic report acknowledges an excess parking/queuing demand of up to 23  
12 vehicles. Afternoon queuing is nominally addressed in the MDNS issued by the school  
13 district, which requires a transportation management plan that should "*define clear*  
14 *procedures and travel routes for family vehicles and instruct family drivers not to block or*  
15 *partially block travel lanes with queued or waiting vehicles.*" Of course, such plans can be  
easily ignored and there is nothing in the conditions of approval that compels any further  
action from the school district. A condition of approval is added by this decision that requires  
afternoon queuing monitoring and remedial action as necessary to fully mitigate any queuing  
impacts.

- 16 C. Parking. Another traffic issue of concern expressed by the neighbors was parking. The  
17 proposal has 83 on-site parking spaces, which exceeds the peak parking demand of 74 parking  
18 spaces (excluding afternoon student pick-up, addressed in the queuing analysis above) as  
determined in the applicant's traffic report, Ex. 11, p. 24.

19 The greater neighborhood concern is special event parking. The issue is not adequately  
20 addressed in the applicant's traffic study. The traffic study identifies that a total of 226  
21 parking spaces are available for special events via on-site parking spaces and the load/unload  
22 zone along with the spaces on the adjacent bus barn. See Ex. 11, p. 24-25. The traffic report  
23 notes that this amount of parking is sufficient for events drawing 675-790 people. However,  
the report doesn't identify how many people will attend the school's special events. The  
MDNS requires a transportation management plan that addresses parking for special events,  
but as with afternoon queuing there is scant provision for accountability or enforcement. The  
conditions of approval for this decision will require monitoring and remedial measures as  
necessary to fully mitigate adverse parking impacts created by special events.

1 D. Speeding. A final traffic issue raised by neighbors was speeding. Excess speed is an  
2 enforcement issue that must be addressed by the police department. The speed limit around  
3 the school will be reduced to 20 mph. The MDNS contains several conditions that facilitate  
the enforcement of the reduced speed limit, including flashing lights and a speed radar sign.

4 E. Compatibility. Concerns were also raised about compatibility with residential uses located to  
5 the west of the project along Park Avenue. The bulk of the school building is located along  
6 the west side in part to avoid compatibility problems with the residential uses on the east side  
7 of the project site. The residences located on the west side are in areas zoned for commercial  
8 use. As such, commercial sized buildings such as the proposed school building are considered  
9 compatible with the uses located in that district. In addition, the conditions of approval  
10 require the addition of articulation and/or modulation features on the north and south ends of  
11 Park Avenue as well as additional artwork and glazing to further enhance compatibility with  
adjoining uses. The open space and landscaping serve as adequate aesthetic buffering to the  
residentially zoned residential uses to the east. The project is fully compatible with the bus  
barn to the north and landscaping and open space provide adequate buffering to the residential  
uses to the south. As conditioned, the proposal is found to be adequately compatible with  
surrounding uses.

12 F. Critical Areas. The project site is located within two critical areas – High Seismic Area and  
13 wellhead protection area.

14 The City's COR mapping database identifies the property to be within a High Seismic Hazard  
15 Area. The applicant submitted a geotechnical report (Exhibit 13) prepared by Associated Earth  
16 Sciences Incorporated. Potential for liquefaction was analyzed and determined that the  
17 estimated amount of liquefaction-induced settlement ranges from about 5-8 inches and is the  
18 result of a very large and rare seismic event. The report provided design recommendations for  
19 pile foundations that would reduce both consolidation settlement and seismically induced  
20 structure settlement to tolerable levels for new construction. The project MDNS requires the  
21 applicant to comply with the recommendations of the geotechnical report. Further, building  
code standards contain compliance measures and design requirements for sites with potential  
seismic hazard conditions, which include the adherence to recommendations from  
geotechnical reports. The geotechnical report demonstrates the proposal can be safely  
accommodated on the site and identified no impacts to other properties or critical areas.

22 The City's COR mapping database identifies the property to be within a Wellhead Protect  
23 Area Zone 1. Areas within the Zone 1 designation are lands situated between a well or well-  
24 field owned by the City and the 365-day groundwater travel time contour. No hazardous  
25 material storage, handling, treating, use, or production is anticipated with the proposed  
26 elementary school. The applicant has indicated that approximately 4,000 cubic yards of fill  
will be brought to the subject property for construction purposes. Therefore, a condition of  
approval requires the applicant to submit a source statement certified by a professional  
engineer or geologist licensed in the State of Washington that the fill meets the requirements

1 of RMC 4-4-060N.4 or provide documentation that fill will be obtained from a Washington  
2 State Department of Transportation (WSDOT) approved source as allowed by RMC 4-4-  
060N.4.g.

3 G. Noise, light and glare. As conditioned, the proposal does not create any significant noise,  
4 light or glare impacts.

5 There will be temporary noise impacts associated with the construction of the school and long  
6 term noise associated with the operation of the school. The applicant has stated noise impacts  
7 consist of typical construction activity such as heavy machinery, vehicles arriving and leaving  
8 the site, and contractor tool-use. Most notably, the construction of the building's pile  
9 foundation system will occur over the course of a 6-8-week period. The applicant will utilize  
10 an alternative to pile driving for installing the foundation via an auger cast method. A hollow  
stem auger drills to the design depth of approximately 50-feet and when removed the pile  
grout is injected into the hole. This method is less impactful than driving piles and does not  
cause ground vibrations.

11 The applicant proposes the following additional methods of controlling noise impacts:  
12 locating stationary equipment away from neighboring properties, erecting portable noise  
13 barriers around loud stationary equipment, turning off idling construction equipment, require  
14 contractors to rigorously maintain all equipment, and train construction crews to avoid  
unnecessarily loud action near noise sensitive areas. These methods are included as mitigation  
measures in the school district's MDNS (Exhibit 7).

15 Long term noise impacts associated with the school include vehicle traffic noise during pick-  
16 up/drop-off, bus loading/unloading, truck delivery, and noise associated with large groups of  
17 children. These impacts will be predominately during the weekday throughout the school year.  
18 Daily school noise is not anticipated to exceed the levels set by the City's noise standards so  
no mitigation is necessary. As required in the MDNS, school bus operators will be instructed  
to turn off engines and not idle during loading and unloading.

19 The school building, parking lot, and grounds will be lit after dusk each evening for safety  
20 purposes. The school district's MDNS has included mitigation measures that include:  
21 minimizing exterior lighting to only what is required for life safety and security, 25-foot  
22 maximum height for pole-mounted fixtures, direct light away from site perimeter, and the use  
23 of cut-off light fixtures. Further, RMC 4-4-075 provides standards that limit light trespass  
such as parking lot pole height limitations of 25-feet with cut-off type luminaire and building  
lights directed onto itself or the ground immediately abutting it.

24 A lighting plan was not submitted identifying compliance with City lighting standards.  
25 Consequently, a condition of approval requires that the applicant provide a lighting plan that  
26 provides for public safety without casting excessive glare on adjacent properties at the time of  
building permit review. Pedestrian scale and downlighting shall be used in all cases to assure

safe pedestrian and vehicular movement, unless alternative pedestrian scale lighting has been approved administratively or is specifically listed as exempt from provisions located in RMC 4-4-075 Lighting, Exterior On-Site.

Ornamental lighting fixtures would help create more visual interest for the structure in the pedestrian public realm. Therefore, as condition of approval, the applicant is required to submit revised elevations depicting ornamental lighting fixtures. The revised elevations shall be submitted to, and approved by, the Current Planning Project Manager prior to building permit approval. If all conditions of approval are met the proposal would satisfy the intent of this standard.

6. Superiority in Design. The development of this site as a PUD results in a superior design than what would result by the strict application of the Development Standards for the following reasons: public facilities, overall design, and building and site design.

The public facility provides a choice educational program and new neighborhood school within the City Center Planning Area. The school is needed to respond to continued growth in the City and school district capital facilities program. The proposal will provide a public plaza and playfield that would not otherwise be required under code. The overall design corresponds to the neighborhood by locating much of the building along the commercial frontage of Park Ave N. and stepping down as it transitions to the residential area to the east. The compact building footprint provides 79,000 square feet of floor area while providing the remaining areas with active recreation areas, landscaping, and parking. The building provides large expanses of glazing, weather protection, and articulation and compliments the cohesive design throughout the site.

The applicant's efficient and creative use of limited parking space is particularly noteworthy. The north parking area is dual-functional as it provides parking and the primary student pick-up/drop-off area. The design of the parking area is focused on a clockwise drive aisle that surrounds two rows of angled parking separated by landscaping. This parking area design is intended to provide adequate queuing capacity onsite. The south parking area provides 90-degree parking spaces with rows that are broken up by internal lot landscaping. Additional perimeter landscaping provides a visual buffer to the surface parking. Pedestrian pathways are provided to the building entrance and plaza. A flex parking area of eight (8) parking spaces is provided adjacent to the public plaza on the south side of the property. This area is provided as temporary parking near the entrance or overflow parking. The surface is treated like the plaza area so it can also be used for pedestrian only events.

The PUD provides flexibility in locating a public facility in a multiple zoned commercial and residential designations. The requested code modifications would not be detrimental to surrounding properties as the design orients the elementary school toward the commercial frontage and transitions to a lower scale and open space areas toward the residential zone.

7. Public Benefit. The school will be the first elementary school in Renton School District that is close to the downtown core and is being developed as a civic and community asset to the City Center. The school will provide a neighborhood elementary but also a choice educational program for students district wide. The school will provide public amenities such as gathering and recreation areas and new streetscape improvements along all frontages. A large public plaza is proposed along the N. 3rd and Park Ave. N. frontage. The 10,000+ square foot plaza is an amenity that will be open for public use and not otherwise required under existing code. Opportunities within the plaza for programming, art, gathering, and other civic uses will be an asset to the neighborhood and overall community.

## CONCLUSIONS OF LAW

### Procedural:

1. Authority. RMC 4-9-150(F)(8) authorizes the Examiner to conduct hearings and make final decisions on PUD applications. RMC 4-9-030(C)(1) authorizes hearing examiner review for hearing examiner conditional use permit applications.

### Substantive:

2. Zoning/Comprehensive Plan Designations. The project site is zoned Residential-8 (R-8), R-10, Commercial Neighborhood (CN), and Commercial Arterial (CA). The comprehensive plan map land use designation for the property is Residential Medium Density, Residential High Density and Commercial Mixed Use.

3. Review Criteria. A hearing examiner conditional use permit is required for elementary schools in all the zoning districts that apply to the project site. Conditional use criteria are governed by RMC 4-9-030(D). RMC 4-9-150 governs PUD criteria. Applicable standards are quoted below in italics and applied through corresponding conclusions of law.

## PUD

### RMC 4-9-150(B):

#### 2. Code Provisions That May Be Modified:

- a. *In approving a planned urban development, the City may modify any of the standards of chapter 4-2 RMC, chapter 4-4 RMC, RMC 4-6-060 and chapter 4-7 RMC, except as listed in subsection B3 of this Section. All modifications shall be considered simultaneously as part of the planned urban development.*
- b. *An applicant may request additional modifications from the requirements of this Title, except those listed in subsection B3 of this Section. All modifications shall be considered simultaneously as part of the planned urban development.*

...

1       3. *Code Provisions Restricted from Modification*

2       ...

3       *e. Specific Limitations: The City may not modify any provision of RMC [4-3-050](#), Critical Areas*  
4       *Regulations, 4-3-090, Shoreline Master Program Regulations, 4-4-130, Tree Cutting and Land*  
5       *Clearing, 4-4-060, Grading, Excavation and Mining Regulations, chapter [4-5](#) RMC, or RMC [4-6-](#)*  
6       *[010](#) to [4-6-050](#) and [4-6-070](#) through [4-6-110](#) related to utilities and concurrency, except that*  
7       *provisions may be altered for these codes by alternates, modification, conditional use, or variance*  
8       *as specifically allowed in the referenced Chapter or Section. Such alternates, modification,*  
9       *conditional use, or variance applications may be merged with the consideration of a planned urban*  
10       *development per RMC [4-9-150H](#).*

11       4. As shown in Finding of Fact No. 3, the requested revisions are limited to the regulations  
12       identified in the regulation quoted above.

13       **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
14       *following requirements are met.*

15       1. *Demonstration of Compliance and Superiority Required: Applicant must demonstrate that a*  
16       *proposed development is in compliance with the purposes of this Section and with the Comprehensive*  
17       *Plan, that the proposed development will be superior to that which would result without a planned*  
18       *urban development, and that the development will not be unduly detrimental to surrounding*  
19       *properties.*

20       5. The pertinent purposes of the PUD regulations, as outlined in RMC 4-9-150(A), are to  
21       preserve and protect the natural features of the land and to encourage innovation and creativity in  
22       development of residential, business, manufacturing, and mixed uses. There are no significant natural  
23       features associated with the project site, however the extensive open space that exceeds applicable  
24       standards provides many of the benefits associated with protecting natural features. The public open  
25       space, art work and exemplary architectural design provide a highly innovative and creative way to  
26       benefit the public with educational services and the benefits associated with the open spaces available  
27       to the community at the project site. As determined in Finding of Fact No. 6, the proposed design is  
28       superior to that which would required outside of the PUD process. As determined in Finding of Fact  
29       No. 5, the proposal will not create any significant adverse impacts so it will not be unduly detrimental  
30       to surrounding properties. For the reasons outlined in Finding of Fact No. 22 of the staff report, the  
31       proposal is consistent with the comprehensive plan.

32       **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
33       *following requirements are met.*

34       ...

2. *Public Benefit Required: In addition, Applicant shall demonstrate that a proposed development will provide specifically identified benefits that clearly outweigh any adverse impacts or undesirable effects of the proposed planned urban development, particularly those adverse and undesirable impacts to surrounding properties, and that the proposed development will provide one or more of the following benefits than would result from the development of the subject site without the proposed planned urban development:*

*a. Critical Areas: Protects critical areas that would not be protected otherwise to the same degree as without a planned urban development; or*

*b. Natural Features: Preserves, enhances, or rehabilitates natural features of the subject property, such as significant woodlands, native vegetation, topography, or noncritical area wildlife habitats, not otherwise required by other City regulations; or...*

*e. Overall Design: Provides a planned urban development design that is superior to the design that would result from development of the subject property without a planned urban development. A superior design may include the following: ...*

6. As determined in FOF No. 7, the proposal provides for public benefits in its overall design and amenities that exceed what would be required of a proposal outside PUD requirements. Further, as determined in FOF No. 5 there are no significant adverse impact associated with the proposal. The criterion is met.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met....*

3. *Additional Review Criteria: A proposed planned urban development shall also be reviewed for consistency with all of the following criteria:*

*a. Building and Site Design:*

*i. Perimeter: Size, scale, mass, character and architectural design along the planned urban development perimeter provide a suitable transition to adjacent or abutting lower density/intensity zones. Materials shall reduce the potential for light and glare.*

7. As determined in Finding of Fact No. 5(E) and 6, the proposal has been designed in size, scale, mass, building material and design for compatibility with adjoining uses. The conditions of approval require the applicant to submit a materials board with materials that reduce the potential for light and glare.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met.*

...

1 3. *Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
2 *consistency with all of the following criteria:*

3 *a. Building and Site Design:*

4 ...

5 *ii. Interior Design: Promotes a coordinated site and building design. Buildings in groups should be*  
6 *related by coordinated materials and roof styles, but contrast should be provided throughout a site by*  
7 *the use of varied materials, architectural detailing, building orientation or housing type; e.g., single*  
8 *family, townhouses, flats, etc.*

9 8. The mass of the building is oriented to the commercial uses of Park Ave N. The building  
10 then transitions with the height and mass stepping down toward the neighboring residential  
11 zones. The outdoor recreation areas are shielded from the commercial zone by the building and  
12 connected to the residential area with pedestrian pathways to the street frontage.

13 Accessory structures such as the covered play area and trash enclosure provide consistency  
14 with the buildings architecture by utilizing similar materials and colors.

15 **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
16 *following requirements are met.*

17 ...

18 3. *Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
19 *consistency with all of the following criteria*

20 ...

21 *b. Circulation:*

22 *i. Provides sufficient streets and pedestrian facilities. The planned urban development shall have*  
23 *sufficient pedestrian and vehicle access commensurate with the location, size and density of the*  
24 *proposed development. All public and private streets shall accommodate emergency vehicle access*  
25 *and the traffic demand created by the development as documented in a traffic and circulation report*  
26 *approved by the City. Vehicle access shall not be unduly detrimental to adjacent areas.*

9. The criterion is met. Adequate streets serve the proposal as determined in Finding of Fact No.  
5(A) and (B). Pedestrian access is adequately provided by sidewalks along all frontage streets, which  
ultimately connect to interior pedestrian pathways and open spaces. Pedestrian safety is assured  
through a reduction in speed limit and associated speed enforcement measures as outlined in Finding  
of Fact No. 5(D).

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
*following requirements are met.*

1 ...  
2 *3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
3 *consistency with all of the following criteria*

4 ...  
5 *b. Circulation:*  
6 ...

7 *ii. Promotes safety through sufficient sight distance, separation of vehicles from pedestrians, limited*  
8 *driveways on busy streets, avoidance of difficult turning patterns, and minimization of steep*  
9 *gradients.*

10 10. The City public works department has reviewed the proposed circulation for safety and found  
11 it to be acceptable. The applicant's traffic report found no sight distance problems with the proposed  
12 circulation plan. The 20-mph speed limit with associated enforcement measures and the sidewalks  
13 and pathways of the project site should provide for adequately safe pedestrian conditions.

14 **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
15 *following requirements are met.*

16 ...  
17 *3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
18 *consistency with all of the following criteria*

19 ...  
20 *b. Circulation:*  
21 ...

22 *iii. Provision of a system of walkways which tie residential areas to recreational areas, transit, public*  
23 *walkways, schools, and commercial activities.*

24 11. As previously noted, the project site is surrounded on all sides with sidewalks, which are  
25 connected to the extensive sidewalk system of the downtown area and associated amenities such as  
26 transit, recreational areas and commercial activities.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
*following requirements are met.*

...  
*3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
*consistency with all of the following criteria*

1 ...

2 *b. Circulation:*

3 ...

4 *iv. Provides safe, efficient access for emergency vehicles.*

5 12. The project site abuts four major downtown city streets. Emergency access should not be a  
6 problem.

7 **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
8 *following requirements are met.*

9 ...

10 *3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
11 *consistency with all of the following criteria*

12 *c. Infrastructure and Services: Provides utility services, emergency services, and other improvements,*  
13 *existing and proposed, which are sufficient to serve the development.*

14 13. The proposal is served by adequate public services and infrastructure as outlined in Finding of  
15 Fact No. 27 of the staff report, adopted by this reference as if set forth in full.

16 **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
17 *following requirements are met.*

18 ...

19 *3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
20 *consistency with all of the following criteria*

21 ...

22 *d. Clusters or Building Groups and Open Space: An appearance of openness created by clustering,*  
23 *separation of building groups, and through the use of well-designed open space and landscaping, or*  
24 *a reduction in amount of impervious surfaces not otherwise required.*

25 14. As determined in Finding of Fact No.5(E) and 6, the building and open space of the project  
26 site have been optimally configured to provide appropriate transitions to adjoining uses while also  
shielding play areas from adjoining commercial use.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
*following requirements are met.*

1 ...  
2 3. *Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
3 *consistency with all of the following criteria*

4 ...  
5 *e. Privacy and Building Separation: Provides internal privacy between dwelling units, and external*  
6 *privacy for adjacent dwelling units. Each residential or mixed use development shall provide visual*  
7 *and acoustical privacy for dwelling units and surrounding properties. Fences, insulation, walks,*  
8 *barriers, and landscaping are used, as appropriate, for the protection and aesthetic enhancement of*  
9 *the property, the privacy of site occupants and surrounding properties, and for screening of storage,*  
10 *mechanical or other appropriate areas, and for the reduction of noise. Windows are placed at such a*  
11 *height or location or screened to provide sufficient privacy. Sufficient light and air are provided to*  
12 *each dwelling unit.*

13 15. N/A.

14 **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
15 *following requirements are met.*

16 ...  
17 3. *Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
18 *consistency with all of the following criteria*

19 ...  
20 *f. Building Orientation: Provides buildings oriented to enhance views from within the site by taking*  
21 *advantage of topography, building location and style.*

22 16. The building is oriented to provide views of the active recreation areas and pedestrian plaza.  
23 No other natural views available to the proposal are evident from the record.

24 **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
25 *following requirements are met.*

26 ...  
27 3. *Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
28 *consistency with all of the following criteria*

29 ...  
30 *g. Parking Area Design: Provides parking areas that are complemented by landscaping and not*  
31 *designed in long rows. The size of parking areas is minimized in comparison to typical designs, and*

1 *each area related to the group of buildings served. The design provides for efficient use of parking,*  
2 *and shared parking facilities where appropriate.*

3 17. As shown in the site plans, Ex. 3, the proposed parking is located in different parts of the  
4 project site and is complimented by an extensive amount of landscaping. The applicant's  
5 parking design is particularly efficient and creative, as determined in Finding of Fact No. 6.

6 **RMC 4-9-150(D)(4):** *Each planned urban development shall demonstrate compliance with the*  
7 *development standards contained in subsection E of this Section, the underlying zone, and any*  
8 *overlay districts; unless a modification for a specific development standard has been requested*  
9 *pursuant to subsection B2 of this Section.*

10 18. As discussed below, the proposal complies with all development standards imposed by RMC  
11 4-9-150(E). All requested development standard modifications requested through the PUD process  
12 identified in FOF No. 3 are approved by this decision. Except as waived through the PUD process,  
13 the proposal complies with all applicable zoning district and Design District "D" overlay standards as  
14 outlined in Findings No. 23 and 29 of the staff report, adopted by this reference as if set forth in full.

15 **RMC 4-9-150(E)(1):** *Common Open Space Standard: Open space shall be concentrated in large*  
16 *usable areas and may be designed to provide either active or passive recreation. Requirements for*  
17 *residential, mixed use, commercial, and industrial developments are described below.*

18 *c. The following subsections specify common open space requirements applicable to*  
19 *nonresidential portions of mixed use developments or to single use commercial or*  
20 *industrial developments:*

21 *i. All buildings and developments with over thirty thousand (30,000) square feet of*  
22 *nonresidential uses (excludes parking garage floorplate areas) shall provide*  
23 *pedestrian-oriented space according to the following formula:*

24 *1% of the lot area + 1% of the building area = Minimum amount of pedestrian-*  
25 *oriented space*

26 *ii. To qualify as pedestrian-oriented space, the following must be included:*

*(a) Visual and pedestrian access (including barrier-free access) to the abutting*  
*structures from the public right-of-way or a courtyard not subject to vehicular*  
*traffic,*

*(b) Paved walking surfaces of either concrete or approved unit paving,*

*(c) On-site or building-mounted lighting providing at least four (4) foot-candles*  
*(average) on the ground, and*

*(d) At least three (3) feet of seating area (bench, ledge, etc.) or one individual*  
*seat per sixty (60) square feet of plaza area or open space.*

1           iii. *The following features are encouraged in pedestrian-oriented space and may be*  
2           *required by the Hearing Examiner.*

3               (a) *Pedestrian-oriented uses at the building facade facing the pedestrian-oriented*  
4               *space.*

5               (b) *Spaces should be positioned in areas with significant pedestrian traffic to*  
6               *provide interest and security – such as adjacent to a building entry.*

7               (c) *Pedestrian-oriented facades on some or all buildings facing the space*  
8               *consistent with Figure 4.*

9               (d) *Public seating that is durable or easily replaceable, maintainable, and*  
10              *accessible.*

11          iv. *The following are prohibited within pedestrian-oriented space:*

12               (a) *Adjacent unscreened parking lots,*

13               (b) *Adjacent chain link fences,*

14               (c) *Adjacent blank walls,*

15               (d) *Adjacent dumpsters or service areas, and*

16               (e) *Outdoor storage (shopping carts, potting soil bags, firewood, etc.) that do not*  
17               *contribute to the pedestrian environment.*

18          19.       The standard quoted above is met as outlined in Finding No. 28 of the staff report.

19          **RMC 4-9-150(E)(2):** *Private Open Space: Each residential unit in a planned urban development*  
20          *shall have usable private open space (in addition to parking, storage space, lobbies, and corridors)*  
21          *for the exclusive use of the occupants of that unit. Each ground floor unit, whether attached or*  
22          *detached, shall have private open space which is contiguous to the unit. The private open space shall*  
23          *be well demarcated and at least fifteen feet (15') in every dimension (decks on upper floors can*  
24          *substitute for the required private open space). For dwelling units which are exclusively upper story*  
25          *units, there shall be deck areas totaling at least sixty (60) square feet in size with no dimension less*  
26          *than five feet (5').*

20          20.       N/A.

21          **RMC 4-9-150(E)(3):** *Installation and Maintenance of Common Open Space:*

22          a. *Installation: All common area and open space shall be landscaped in accordance with the*  
23          *landscaping plan submitted by the Applicant and approved by the City; provided, that common open*  
24          *space containing natural features worthy of preservation may be left unimproved. Prior to the*  
25          *issuance of any occupancy permit, the developer shall furnish a security device to the City in an*  
26          *amount equal to the provisions of RMC 4-9-060. Landscaping shall be planted within one year of the*  
27          *date of final approval of the planned urban development, and maintained for a period of two (2)*  
28          *years thereafter prior to the release of the security device. A security device for providing*  
29          *maintenance of landscaping may be waived if a landscaping maintenance contract with a reputable*

landscaping firm licensed to do business in the City of Renton is executed and kept active for a two (2) year period. A copy of such contract shall be kept on file with the Development Services Division.

b. Maintenance: Landscaping shall be maintained pursuant to requirements of RMC 4-4-070.

21. As Conditioned.

**RMC 4-9-150(E)(4): Installation and Maintenance of Common Facilities:**

a. Installation: Prior to the issuance of any occupancy permits, all common facilities, including but not limited to utilities, storm drainage, streets, recreation facilities, etc., shall be completed by the developer or, if deferred by the Planning/Building/Public Works Administrator or his/her designee, assured through a security device to the City equal to the provisions of RMC 4-9-060...

22. As Conditioned.

**RMC 4-9-150(E)(4): Installation and Maintenance of Common Facilities:**

...

b. Maintenance: All common facilities not dedicated to the City shall be permanently maintained by the planned urban development owner, if there is only one owner, or by the property owners' association, or the agent(s) thereof. In the event that such facilities are not maintained in a responsible manner, as determined by the City, the City shall have the right to provide for the maintenance thereof and bill the owner or property owners' association accordingly. Such bill, if unpaid, shall become a lien against each individual property.

23. As conditioned.

**Conditional Use**

The Administrator or designee or the Hearing Examiner shall consider, as applicable, the following factors for all applications:

**RMC 4-9-030(C)(1): Consistency with Plans and Regulations:** The proposed use shall be compatible with the general goals, objectives, policies and standards of the Comprehensive Plan, the zoning regulations and any other plans, programs, maps or ordinances of the City of Renton.

24. As concluded elsewhere in this decision, the proposal is consistent with all applicable comprehensive plan policies and development standards.

**RMC 4-9-030(C)(2): Appropriate Location:** The proposed location shall not result in the detrimental overconcentration of a particular use within the City or within the immediate area of the proposed use. The proposed location shall be suited for the proposed use.

25. The proposed school is the only elementary school within the City Center Community Planning Area. It would be the first school that is close to the downtown and The Landing. The proposed location was previously used for educational purposes and therefore is already suited for the proposed elementary school.

**RMC 4-9-030(C)(3): *Effect on Adjacent Properties:*** *The proposed use at the proposed location shall not result in substantial or undue adverse effects on adjacent property.*

26. As determined in Finding of Fact No. 5, as conditioned, there are no significant adverse impacts associated with the proposal, so it will not result in substantial or undue adverse effects on adjacent property.

**RMC 4-9-030(C)(4): *Compatibility:*** *The proposed use shall be compatible with the scale and character of the neighborhood.*

27. As determined in Finding of Fact No. 5(E), the proposed use is compatible with the scale and character of the neighborhood.

**RMC 4-9-030(C)(5): *Parking:*** *Adequate parking is, or will be made, available.*

28. As determined in Finding of Fact No. 5(C), the proposal includes adequate parking.

**RMC 4-9-030(C)(6): *Traffic:*** *The use shall ensure safe movement for vehicles and pedestrians and shall mitigate potential effects on the surrounding area.*

29. The criterion is met. City staff have determined that the proposal will provide for safe movement for vehicles and pedestrians. The applicant provided a transportation study that provided analysis for abutting intersections. No failures were found by adding the proposed elementary school trips to the City's transportation system. The applicant will provide frontage improvements and pedestrian enhancements. The applicant has proposed to prepare a transportation management plan that will assist student pick-up and drop-off procedures with the intent of making the process smooth and efficient thereby resulting in minimal impacts two times per day.

**RMC 4-9-030(C)(7): *Noise, Light and Glare:*** *Potential noise, light and glare impacts from the proposed use shall be evaluated and mitigated.*

30. As conditioned, as determined in Finding of Fact No. 5(G), the proposal will not result in any adverse light, noise or glare impacts.

**RMC 4-9-030(C)(8): *Landscaping:*** *Landscaping shall be provided in all areas not occupied by buildings, paving, or critical areas. Additional landscaping may be required to buffer adjacent properties from potentially adverse effects of the proposed use.*

31. As shown in the site plans for the proposal, all undeveloped portions of the site are landscaped.

## DECISION

The proposed preliminary PUD and conditional use permit applications as identified in the application materials admitted as exhibits and described in this decision are Approved, subject to the conditions below:

1. The applicant shall comply with the mitigation measures issued as part of the Mitigated Determination of Nonsignificance issued by the Renton School District on October 21, 2016
2. The applicant shall record a formal Lot Combination in order to ensure the proposed buildings are not built across property lines. The instrument shall be recorded prior to issuance of certificate of occupancy.
3. The applicant shall submit revised site plans that locate the covered play area structure in an area compliant with the 15-foot minimum rear setback. The plans shall be submitted to, and approved by, the Current Planning Project Manager prior to construction permit approval.
4. The applicant shall submit a detailed landscape plan that provides specific detail for the number or types of trees and shrubbery to the Current Planning Project Manager prior to construction permit approval complying with applicable sections of RMC 4-4-070.
5. The applicant shall submit a detailed plan set identifying the location and screening provided for roof mounted equipment. The revised plan set shall be submitted to, and approved by, the Current Planning Project Manager, prior to building permit approval.
6. The applicant shall provide an updated arborist report that provides analysis for the potential to retain trees 29, 30, and 31 on the tree retention plan with the new Garden Ave N. cross section. The trees shall be retained if viable; otherwise replacement at the required 6:1 caliper inch ration will be required for any of the three (3) trees that cannot be retained. The arborist report shall be submitted to, and approved by, the Current Planning Project Manager prior to construction permit approval.
7. The applicant shall submit a revised landscape plan that identifies the replacement trees meeting the replacement requirements of RMC 4-4-130. The landscape plan shall be submitted to and approved by the Current Planning Project Manager prior to construction permit approval.
8. The applicant shall submit a source statement certified by a professional engineer or geologist licensed in the State of Washington meeting the requirements of RMC 4-4-060N.4 or provide documentation that fill will be obtained from a Washington State Department of Transportation (WSDOT) approved source as allowed by RMC 4-4-060N.4.g. The source statement or WSDOT documentation shall be submitted to and approved by the Current Planning Project Manager prior to construction permit approval.


9. The applicant shall submit a truck loading diagram that attempts to narrow the proposed 52-foot wide driveway and curb radii to the minimum width needed to accommodate the delivery truck. If the driveway cannot be narrowed, then the applicant shall provide a design that includes a pedestrian refuge area in the middle of the driveway that shortens the crossing distance. The diagram and/or plan shall be submitted to the Current Planning Project Manager prior to issuing the construction permit.
10. The applicant shall submit revised site and utility plans for Garden Ave. N. that provide the curb-line maintained in its existing location, 12-foot sidewalks, street trees in tree grates, and curb-bulbs meeting city standards at the intersections of N. 4th St. and N. 3rd St. The plans shall be submitted to and approved by the Current Planning Project Manager and Engineering Plan Reviewer prior to construction permit approval.
11. The applicant shall submit a revised landscape plan that replaces all five trees shown to be retained on Park Ave N. The plan shall be submitted to, and approved by, the Current Planning Project Manager prior to construction permit approval.
12. The applicant shall submit revised site and utility plans for N. 3rd St. that provides curb-bulbs meeting the City's standard on the property's frontage at Park Ave N and Garden Ave N. thereby creating a row of on-street parking along the north side of N. 3rd St. The plans shall be submitted to and approved by the Current Planning Project Manager prior to construction permit approval.
13. The applicant shall submit a revised landscape plan that provides the new street frontage section along N. 3<sup>rd</sup> St. and either the retention of the four (4) trees if possible or the replacement of the trees due to the modified street frontage. The plan shall be submitted to, and approved by, the Current Planning Project Manager prior to construction permit approval.
14. The applicant shall create a public outreach sign in coordination with City of Renton to communicate with road users, the general public, area residences and businesses, and appropriate public entities about project information; road conditions in the work zone area; and the safety and mobility effects of the work zone. The sign shall be placed on site prior to construction commencement.
15. The applicant shall submit a detailed plaza plan that identifies compliance with lighting levels of four (4) foot candles on the ground, minimum seating areas, and other applicable pedestrian –oriented space qualifiers in RMC 4-9-1501c. The detailed plaza plan shall also include detail cut sheets of the bench, planter boxes, and any other streetscape elements that will be provided. The plan shall be submitted to, and approved by, the Current Planning Project Manager prior to construction permit approval.
16. The applicant shall provide a revised refuse and recycling enclosure plan that provides a detail cut-sheet of the self-closing door mechanism. The plan shall be submitted to, and approved by, the Current Planning Project Manager prior to building permit approval.

- 1 17. The applicant shall submit a revised site plan that provides the proposed material for the  
2 pedestrian pathway in the south parking lot. The plan shall be submitted to, and approved  
3 by, the Current Planning Project Manager prior to construction permit approval.
- 4 18. The applicant shall provide detailed specifications for all site furniture and art, in order to  
5 ensure durable, vandal- and weather-resistant materials are used. The specifications shall  
6 be submitted to, and approved by, the Current Planning Project Manager prior building  
7 permit approval.
- 8 19. The applicant shall provide additional articulation and/or modulation features on the  
9 north and south end of Park Ave N. façade and the west side of the N. 4<sup>th</sup> St. facade. Staff  
10 has suggested the applicant wrap the curtain wall around the corner along the south end of  
11 the Park Ave N. façade. Artwork, additional glazing, and modulation are suggested on the  
12 north end of the Park Ave N façade and west side of the N. 4th St. façade. A revised  
13 elevation plan shall be submitted to and approved by the Current Planning Project  
14 Manager prior to building permit approval.
- 15 20. The applicant shall submit revised elevations that provide increased height or the  
16 perception of increased height on the ground floor. The plans shall be submitted for  
17 review and approval by the Current Planning Project Manager prior to building permit  
18 approval.
- 19 21. The applicant shall submit a lighting plan that adequately provides for public safety  
20 without casting excessive glare on adjacent properties; provides ornamental lighting  
21 fixtures; and otherwise complies with exterior lighting requirements of RMC 4-4-075.
- 22 22. The applicant shall submit a materials board subject to the approval of the Current  
23 Planning Project Manager prior to building permit approval. The board shall include  
24 color and materials for the façade treatments, raised planters, siding, windows/frames,  
25 and canopies. The materials shall reduce the potential for reflection of light and glare.
- 26 23. All common area and open space shall be landscaped in accordance with the landscaping  
plan submitted by the Applicant and approved by the City. Prior to the issuance of any  
occupancy permit, the developer shall furnish a security device to the City in an amount  
equal to the provisions of RMC 4-9-060. Landscaping shall be planted within one year of  
the date of final approval of the planned urban development, and maintained for a period  
of two (2) years thereafter prior to the release of the security device. A security device for  
providing maintenance of landscaping may be waived if a landscaping maintenance  
contract with a reputable landscaping firm licensed to do business in the City of Renton is  
executed and kept active for a two (2) year period. A copy of such contract shall be kept  
on file with the Development Services Division.
24. Prior to the issuance of any occupancy permits, all common facilities, including but not  
limited to utilities, storm drainage, streets, recreation facilities, etc., shall be completed by  
the developer or, if deferred by the Planning/Building/Public Works Administrator or  
his/her designee, assured through a security device to the City equal to the provisions of  
RMC 4-9-060.

1 25. The plaza shall be permanently maintained by the planned urban development owner. In  
2 the event that such facilities are not maintained in a responsible manner, as determined by  
3 the City, the City shall have the right to provide for the maintenance thereof and bill the  
owner. Such bill, if unpaid, shall become a lien against each individual property.

4 26. The queuing and parking demand components of the transportation management plan  
5 required by Condition No. 20 of the project MDNS shall be subject to City staff approval  
6 prior to issuance of a certificate of occupancy. The queuing and parking demand  
7 components shall be subject to one school year monitoring plans scheduled for the first  
8 school year with compliance objectives of no off-site queuing and no off-site parking  
9 except for facilities owned by the District or subject to a shared or leased parking  
10 agreement. The parking monitoring plan shall include at a minimum monitoring of the  
11 three evening events planned for the school year that are expected to draw the largest  
after-school audiences. The queuing monitoring plan shall include a minimum of five  
school days (each a different day of the week) during afternoon pick-up. The City may  
require additional parking and queuing mitigation as necessary to mitigate any off-site  
queuing or parking (outside of applicant owned or leased/shared parking facilities)  
identified from the required monitoring.

12 DATED this 27<sup>th</sup> day of November, 2016.

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14   
Phil A. Olbrechts

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16 City of Renton Hearing Examiner

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19 **Appeal Right and Valuation Notices**

20 RMC 4-8-080(G) provides that the final decision of the hearing examiner is subject to appeal to the  
21 Renton City Council. RMC 4-8-110(E)(14) requires appeals of the hearing examiner's decision to be  
22 filed within fourteen (14) calendar days from the date of the hearing examiner's decision. A request  
23 for reconsideration to the hearing examiner may also be filed within this 14-day appeal period as  
24 identified in RMC 4-8-100(G)(9). A new fourteen (14) day appeal period shall commence upon the  
issuance of the reconsideration. Additional information regarding the appeal process may be obtained  
from the City Clerk's Office, Renton City Hall – 7th floor, (425) 430-6510.

25 Affected property owners may request a change in valuation for property tax purposes  
26 notwithstanding any program of revaluation.

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